

Remarks

Claims 1 and 6 are amended to set forth an embodiment of the present invention wherein the composition contains a mixture of different silica gels. Support for this amendment may be found, at least, on pages 6 and 7, paragraphs 19-25, of the subject specification. Claims 1-9 and 11-17 are pending in the subject application, with claims 13-17 being withdrawn to a non-elected embodiment (i.e., a process for making an abrasive silica).

Claim 1-9, 11 and 12 stands rejected under 35 U.S.C. §102 (e) over U.S. Patent No. 6,290,933 to Durga et al. (hereinafter Durga et al.). This rejection is respectfully traversed.

Durga et al. describes a silica dentifrices composition that may include two abrasives (Col. 4, lines 26-40). In particular, the first abrasive is silica gel, while the second abrasive is precipitated silica.

The presently amended claims recite that the abrasive composition include different types of silica gels that are prepared by manufacturing the gels under different processing conditions and/or with different raw materials. There is no mention in Durga et al. of using two different silica gels. Durga et al. is completely silent regarding the use of two different silica gels. Accordingly, all of the elements recited in the present claims 1-9, 11 and 12 are not set forth in Durga et al. and rejection of these claims under 35 U.S.C. §102 is improper. Applicants respectfully request withdrawal of the rejection.

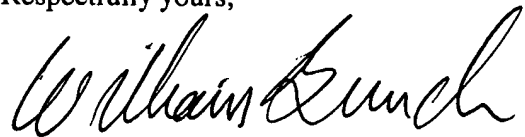
Moreover, there is no motivation or suggestion set forth in Durga et al., or otherwise set forth in the Office Action, for the Artisan to have modified the teachings of Durga et al. and arrive at these present claims, i.e., there is no suggestion to utilize two different silica gels. Durga only suggests using other abrasives, such as precipitated silicas, in the dentifrice compositions set forth therein. Thus, claims 1-9, 11 and 12 would not have been obvious over Durga et al.

The present invention also provides unexpected results with regard to cleaning performance in dentifrice compositions. For example, on page 11 of the subject specification, dentifrice composition B provides unexpectedly improved PCR, RDA, and Einlehner abrasion properties that are much improved over commercially

available silica gel and precipitated silica abrasives, including combinations of these materials (see composition C). Accordingly, these unexpectedly improved results would rebut any *prima facie* case of obviousness that may be presented under Durga et al.

In view of the above amendments and remarks, Applicants respectfully submit that the above-identified application is now in condition for allowance. Applicants respectfully request notification to that effect in the form of a Notice of Allowability.

Respectfully yours,



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Dated : September 16, 2004
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